

(b) An applicant or employee may file a written reply and request for review of the determination within 30 days after written notification of the determination or receipt of the copies of the documents requested pursuant to this subpart, whichever is later.

(c) An applicant or employee shall be provided with a written notice of and reasons for the results of the review, the identity of the deciding authority, and written notice of the right to appeal.

(d) Within 30 days of receipt of a determination under paragraph (c) of this section, the applicant or employee may appeal that determination in writing to the ARC, established under § 17.15. The applicant or employee may request an opportunity to appear personally before the ARC and to present relevant documents, materials, and information.

(e) An applicant or employee may be represented in any such appeal by an attorney or other representative of his or her choice, at his or her expense. Nothing in this section shall be construed as requiring the Department to grant such attorney or other representative eligibility for access to classified information, or to disclose to such attorney or representative, or permit the applicant or employee to disclose to such attorney or representative, classified information.

(f) A determination of eligibility for access to classified information by the ARC is a discretionary security decision. Decisions of the ARC shall be in writing and shall be made as expeditiously as possible. Access shall be granted only where facts and circumstances indicate that access to classified information is clearly consistent with the national security interest of the United States, and any doubt shall be resolved in favor of the national security.

(g) The Department Security Officer shall have an opportunity to present relevant information in writing or, if the applicant or employee appears personally, in person. Any such written submissions shall be made part of the applicant or employee's security record and, as the national security interests of the United States and other applicable law permit, shall also be provided to the applicant or employee. Any personal presentations shall be, to the extent consistent with the national security and other applicable law, in the presence of the applicant or employee.

(h) When the Attorney General or Deputy Attorney General personally certifies that a procedure set forth in this section cannot be made available in a particular case without damaging the national security interests of the United States by revealing classified

information, the particular procedure shall not be made available. This is a discretionary and final decision not subject to further review.

(i) This section does not limit the authority of the Attorney General pursuant to any other law or Executive order to deny or terminate access to classified information if the national security so requires and the Attorney General determines that the appeal procedures set forth in this section cannot be invoked in a manner that is consistent with the national security. Nothing in this section requires that the Department provide any procedures under this section to an applicant where a conditional offer of employment is withdrawn for reasons of suitability or any reason other than denial of eligibility for access to classified information. Suitability determinations shall not be used for the purpose of denying an applicant or employee the review proceedings of this section where there has been a denial or revocation of eligibility for access to classified information.

Dated: June 28, 1996.

Janet Reno,

*Attorney General.*

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## ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD

### 36 CFR Parts 1190 and 1191

#### Accessibility Guidelines for Play Facilities; Notice of Meeting of Regulatory Negotiation Committee

**AGENCY:** Architectural and  
Transportation Barriers Compliance  
Board.

**ACTION:** Committee meeting.

**SUMMARY:** The Architectural and Transportation Barriers Compliance Board (Access Board) has established a regulatory negotiation committee to develop a proposed rule on accessibility guidelines for newly constructed and altered play facilities covered by the Americans with Disabilities Act and the Architectural Barriers Act. This document announces the dates and location of the next meeting of the committee, which is open to the public.

**DATES:** The committee will meet as follows: Sunday, August 4, 1996, 9:00 a.m. to 6:00 p.m. Monday, August 5, 1996, 9:00 a.m. to 5:00 p.m. and 7:00 p.m. to 9:30 p.m. Tuesday, August 6, 1996, 9:00 a.m. to 4:00 p.m.

**ADDRESSES:** The meeting will be held at the Maplewood Community Center, 2100 White Bear Avenue, Maplewood, Minnesota.

#### FOR FURTHER INFORMATION CONTACT:

Peggy Greenwell, Office of Technical and Information Services, Architectural and Transportation Barriers Compliance Board, 1331 F Street, NW., suite 1000, Washington, DC. 20004-1111. Telephone number (202) 272-5434 extension 34 (Voice); (202) 272-5449 (TTY). This document is available in alternate formats (cassette tape, braille, large print, or computer disc) upon request.

#### SUPPLEMENTARY INFORMATION:

In February 1996, the Access Board established a regulatory negotiation committee to develop a proposed rule on accessibility guidelines for newly constructed and altered play facilities covered by the Americans with Disabilities Act and the Architectural Barriers Act. (61 FR 5723, February 14, 1996). The committee will hold its next meeting on the dates and at the location announced above. The meeting is open to the public. The meeting site is accessible to individuals with disabilities. Individuals with hearing impairments who require sign language interpreters should contact Peggy Greenwell by July 26, 1996, by calling (202) 272-5434 extension 34 (voice) or (202) 272-5449 (TTY).

On Sunday, August 4, 1996, the committee will tour various play facilities in the Minneapolis area. Bus transportation will be provided for committee members. There is limited space available on the bus for members of the public. Individuals may reserve space in advance by calling Peggy Greenwell at the phone numbers listed above. If all available spaces are not reserved in advance, spaces will be filled on the day of the tour on a first come/first served basis. The bus will depart from the main entrance of the Sheraton Metrodome, 1330 Industrial Boulevard, Minneapolis, Minnesota, at 9:00 a.m. The bus will return to Maplewood Community Center at approximately 4:00 p.m. and the committee will meet until 6:00 p.m.

Lawrence W. Roffee,

*Executive Director.*

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